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September 27, 2023

Honorable Valerie Figueredo, U.S.M.J.  
United States District Court Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Villaneuva, et al. vs. G-Net Construction Corp., et al.  
Case: 1:22-cv-07199-JHR

Dear Hon. Magistrate Judge Figueredo,

I represent the defendants. I respectfully request the settlement conference scheduled for October 4 be adjourned because the Plaintiffs have not yet responded to the defendants' discovery demands that were due on September 19, 2023<sup>1</sup>, which will make the settlement conference much more fruitful. This is the third request to reschedule the settlement conference.

Unfortunately, I cannot file the defendants' pre-conference submission today as Your Honor ordered. Apparently, the Plaintiffs need additional time to provide responses to the defendants' discovery demands. On September 24, 2023, I sent the plaintiffs' lawyer Jason Mizrahi an email asking:

"Please let me know when you anticipate completing your responses to the Defendants' document demands and interrogatories. As you know, my clients and I need your responses before the settlement conference with Hon. Valerie Figueredo and to file our pre-conference submission, which is due on Wednesday this week. Therefore, I need an update please." Exhibit 1.

Mr. Mizrahi did not respond to this email or my last two emails denominated Document Nos. 44-2 and 46-1.

If it pleases the Court, I am available on the following dates for the settlement conference: October 19, 20, 23, 26, 27, 30 and November 2, 3 and 6. Thank you.

Respectfully submitted,  
/s/ *Robert Fileccia*  
Robert J. Fileccia

cc: Jason Mizrahi, Esq. by ECF

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<sup>1</sup> On August 2, I served the plaintiffs with deposition notices, on August 17, I served the plaintiffs with document demands, and on August 19, I served the four plaintiffs with interrogatories.

Subject: **UPDATE PLEASE : Villaneuva vs G-Net Construction 22-CV-07199-JHR**  
Date: 9/24/2023 11:31:23 PM Eastern Standard Time  
From: catchaprosecutor@aol.com  
To: Jason@levinestein.com  
Cc: Joshua@levinestein.com, catchaprosecutor@aol.com

Dear Jason,

Please let me know when you anticipate completing your responses to the Defendants' document demands and interrogatories. As you know, my clients and I need your responses before the settlement conference with Hon. Valerie Figueredo and to file our pre-conference submission, which is due on Wednesday this week. Therefore, I need an update please.

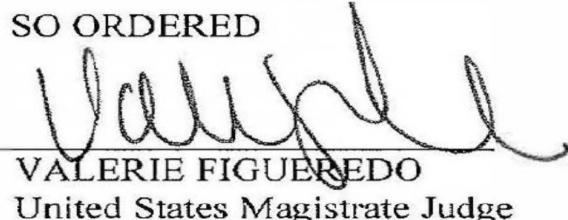
Thank you, Robert +

In a message dated 9/7/2023 3:55:33 PM Eastern Standard Time, [catchaprosecutor@aol.com](mailto:catchaprosecutor@aol.com) writes:

Dear Jason,

Please let me know when you anticipate completing your responses to the Defendants' document demands and interrogatories. (I am aware you have until September 19 pursuant to the FRCP.) The reason I ask is that I intend to write to Hon. Valerie Figueredo tomorrow to reschedule the settlement conference because the defendants can certainly benefit from additional exchange of information that would make the settlement conference much more fruitful. Of course, my clients and I need your responses before the settlement conference to honestly assess the Plaintiffs' position and to file our pre-conference submission. Since Hon. Jennifer Rearden was gracious to extend the discovery deadline to October 13, I truly need to coordinate our efforts at this time. See Document Nos. 42 and 45 if you need further information.

Thank you, Robert +

SO ORDERED  
  
VALERIE FIGUEREDO  
United States Magistrate Judge

Dated: September 28, 2023

Defendants' request for adjournment is **GRANTED**. The settlement conference scheduled for October 4, 2023 is hereby adjourned to **Monday, November 6, 2023 at 2:00 p.m.** The parties are directed to submit pre-conference submissions, via e-mail to chambers, no later than October 30, 2023. The Clerk of Court is directed to terminate the motion at ECF No. 48.